

REMARKS

Claims 1-49 were previously pending in this application. Claims 1, 4, 10, 11, 13, 14, 16, 18, 19, 22, and 28 have been amended. Claims 3, 6-9, 12, 15, 17, 20, 21, 23, 24, 29, 31-33, 36, 47-49 have been canceled. New independent claims 50-56 have been added. As a result, claims 1, 2, 4, 5, 10, 11, 13, 14, 16, 18, 19, 22, 25-28, 30, 34, 35, 37-46, and 50-56 are pending for examination with claims 1, 25, 28, and 50-56 being independent claims. No new matter has been added.

Allowable Subject Matter

Applicant notes with appreciation the Examiner's indication of allowable subject matter. The Office Action has indicated that claims 25-27 are allowed. The Office Action has also indicated that claims 9-11, 15, 17-19, 20-23, 32, 33, and 36 would be allowable if rewritten in independent form including the limitations of the base claim and intervening claims.

In accordance with the Examiner's suggestion, Applicant has amended independent claim 1 to include the limitations of claims 3 and 9. More specifically, claim 1 has been amended to recite "a height equalizing step of forming a tip of the tubular carbon molecule in a predetermined plane, and forming the tip into an open tip; and an inserting step of inserting a magnetic material in at least tip portions of a plurality of tubular carbon molecules from open tips of a plurality of tubular carbon molecules." Independent claim 1 should now be in condition for allowance.

Applicant has also amended independent claim 28 to include the limitations of claims 31 and 32. In particular, claim 28 has been amended to recite "the substrate having a pattern of a projection in which at least a tip portion thereof is made of the metal" and "wherein two substrates are disposed so that the patterns of the projection face each other, and an electric field is applied between the two substrates." Independent claim 28 should now be in condition for allowance.

New independent claim 50 includes the allowable subject matter of claims 12 and 15 rewritten into independent form. New independent claim 51 includes the allowable subject matter of claim 17 rewritten into independent form. New independent claim 52 includes the allowable subject matter of claim 20 rewritten into independent form. New independent claim 53 includes the allowable subject matter of claim 21 rewritten into independent form. New independent claim 54 includes the allowable subject matter of claim 23 rewritten into independent form. New

independent claim 55 includes the allowable subject matter of claims 29 and 33 rewritten into independent form. New independent claim 56 includes the allowable subject matter of claim 36 rewritten into independent form.

Accordingly, Applicant submits independent claims 1, 25, 28, and 50-56 to be in condition for allowance.

Prior Art Rejections

Claims 1, 24, 41-43 and 47-49 stand rejected under 35 U.S.C. §102(b) as being anticipated by Shin et al. (JP 2002-289086). Claims 1, 12-14, and 16 stand rejected under 35 U.S.C. §102(b) as being anticipated by NPL document entitled "*Carbon Nanotube Films Grown By Laser Assisted Chemical Vapor Deposition*". Claims 29, 31, and 34-35 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Shin et al. (JP 2002-289086). Claims 2 and 37-40 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Shin et al. (JP 2002-289086) in view of Nagata et al. (US 5,072,091). Claims 3-5, and 44-46 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Shin et al. (JP 2002-289086) in view of Jin et al. (EP1022763).

As noted above, the Office Action has indicated that claims 9-11, 15, 17-19, 20-23, 32, 33, and 36 would be allowable if rewritten in independent form including the limitations of the base claim and intervening claims. By the amendments above, independent claims 1, 25, 28, and 50-56 should be in condition for allowance. Because claims 2, 4, 5, 10, and 11 depend from independent claim 1; claims 13, 14, and 16 depend from independent claim 50; claims 18 and 19 depend from independent claim 51; claim 22 depends from independent claim 53; and claims 30, 34, 35, and 37-46 depend from independent 28, for the same reasons, respectively, these claims should also be in condition for allowance.

Accordingly, withdrawal of these rejections is respectfully requested.

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Respectfully submitted,

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